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OPEN-ENDED WORKING GROUP ON THE REVIEW
OF ARRANGEMENTS FOR CONSULTATIONS
WITH NON-GOVERNMENTAL ORGANIZATIONS
First session
20-24 June 1994
Agenda item 5

ADOPTION OF THE REPORT OF THE WORKING GROUP ON ITS FIRST SESSION

Chapter ____

GENERAL REVIEW OF THE ARRANGEMENTS FOR CONSULTATIONS WITH NON-GOVERNMENTAL ORGANIZATIONS

1. At its 1st to 5th meetings, from 20 to 22 June 1994, the Working Group considered item 3 of its agenda. It had before it the following documents:

(a) Report of the Secretary-General on the general review of arrangements for consultations with non-governmental organizations (E/AC.70/1994/5);

(b) Report of the Secretary-General on the participation of non-governmental organizations in the Commission on Human Rights, the World Conference on Human Rights and the human rights treaty bodies (E/AC.70/1994/5/Add.1).

2. At its 1st meeting, on 20 June, the Working Group heard an introductory statement by the Director of the Division for Policy Coordination and Economic and Social Council Affairs of the Department for Policy Coordination and Sustainable Development of the United Nations Secretariat.

3. At the same meeting, statements were made by the representatives of Greece (on behalf of the States Members of the United Nations that are members of the European Union), Austria, Cuba and Chile.

4. At the same meeting, the representative of the United Nations Children's Fund made a statement.

5. Also at the same meeting, the following non-governmental organizations in consultative status with the Economic and Social Council, category I, made statements: Rotary International and Society for International Development.

6. At the 2nd meeting, on 20 June, statements were made by the representatives of the United States of America, Canada and Sweden.

7. At the same meeting, the representative of the United Nations Development Programme made a statement.

8. Also at the same meeting, the representative of the Conference of Non-Governmental Organizations in consultative status with the Economic and Social Council made a statement.

9. At the same meeting, statements were made by the following non-governmental organizations in consultative status with the Economic and Social Council, category I: International Federation of Agricultural Producers and Soroptimist International.

10. Also at the same meeting, statements were made by the following non-governmental organizations in consultative status with the Economic and Social Council, category II: International Federation of Settlements and Neighbourhood Centres, Service for Peace and Justice in Latin America and American Association of Retired Persons.

11. At the same meeting, statements were made by the following non-governmental organizations accredited to the Commission on Sustainable Development: Pan African Movement and International Synergy Institute.

12. At its 3rd meeting, on 21 June, statements were made by the representatives of Costa Rica, Peru, Japan, China, India, the Philippines, the United Kingdom of Great Britain and Northern Ireland and Malaysia.

13. Also at the same meeting, statements were made by the representatives of the Office of the United Nations High Commissioner for Refugees and the United Nations International Drug Control Programme.

14. At the same meeting, statements were made by the following non-governmental organizations in consultative status with the Economic and Social Council: Baha'i International Community and Amnesty International (category II); and Women's Environment and Development Organization (Roster).

15. At the same meeting, the Communications Coordination Committee for the United Nations, a non-governmental organization accredited to the Commission on Sustainable Development, made a statement.

16. At its 4th meeting, on 21 June, statements were made by the representatives of Australia and the Russian Federation.

17. At the same meeting, statements were made by the representatives of the Centre for Human Rights and the United Nations Population Fund.

18. Also at the same meeting, statements were made by the following non-governmental organizations in consultative status with the Economic and Social Council: Muslim World League (category I), World Federalist Movement and Coordinating Board of Jewish Organizations (category II).

19. Also at the same meeting, the Australian Conservation Foundation, a non-governmental organization accredited to the Commission on Sustainable Development, made a statement.

20. At the same meeting, the International Center for Human Rights and Democratic Development, a non-governmental organization accredited for participation in United Nations conferences and/or their preparatory process, made a statement.

21. The Working Group then began the discussion on thematic issues under the item and heard statements by the representatives of Ireland, Cuba, Canada and Ecuador.

22. At the same meetirg, statements were made by the following non-governmental organizations in consultative status with the Economic and Social Council: World Veterans Federation (category I) and World Federalist Movement (category II).

23. At the same meeting, the Director of the Division for Policy Coordination and Economic and Social Council Affairs of the Department for Policy Coordination and Sustainable Development of the United Nations Secretariat made a statement.

24. At its 5th meeting, on 22 June, the Working Group continued the discussion of thematic issues under the item and heard statements by the representatives of China, the Philippines, Canada, Greece (on behalf of the States Members of the United Nations that are members of the European Union), Sweden, Egypt, Cuba, India, Mexico, France, the United States of America, Ecuador, Hungary and the United Kingdom of Great Britain and Northern Ireland.

25. At the same meeting, the Director of the Division for Policy Coordination and Economic and Social Council Affairs, made a statement.

26. At the same meeting, the representative of the Conference of Non-Governmental Organizations in consultative status with the Economic and Social Council made a statement.

27. At the same meeting, statements were made by the following non-governmental organizations in consultative status with the Economic and Social Council: Zonta International and Society for International Development (category I) and World Federation of Engineering Organizations (Roster).

28. At the same meeting, statements were made by the representatives of the Communications Coordination Committee of the United Nations, the International Synergy Institute, the Australian Conservation Foundation, the Country Women Association of Nigeria and the Pan African Movement, non-governmental organizations accredited to the Commission on Sustainable Development.

29. In his opening statement, the Chairman of the Open-ended Working Group, Mr. Jamsheed K. A. Marker (Pakistan), stated that the task of the Working Group was of critical importance as the contribution of non-governmental organizations would enhance the effectiveness of the United Nations at a time when the Organization was searching for a more focused role for itself in development and peace. The task of the Working Group would be essentially a technical one, focusing on the substantive issue of the participation of non-governmental organizations in the work of the United Nations, with a view to ensuring more flexible arrangements in that regard. He emphasized the importance of the contributions made by non-governmental organizations to the work of the United Nations, especially since the United Nations Conference on Environment and Development.

30. He suggested that the Working Group at its first session focus on item 3 and review the arrangements for consultations with non-governmental organizations, giving particular attention to the following issues:

(a) Issues arising from experience in the implementation of Council resolution 1296 (XLIV);

(b) Review of the categories of status;

(c) Consultative arrangements and accreditation to the United Nations world conferences;

(d) Experience gained from the Commission on Sustainable Development;

(e) Problems and bottlenecks faced by non-governmental organizations under the present arrangements.

31. The Working Group would hold a second session early in 1995 to discuss item 4 and would then draft a negotiated agreement on the future of consultative mechanisms and arrangements.

32. The Director of the Division for Policy Coordination and Economic and Social Council Affairs of the Department for Policy Coordination and Sustainable Development introduced the report of the Secretary-General (E/AC.70/1994/5 and Add.1). The report was submitted in response to requests made by the Working Group at its organizational session for information on various aspects of the United Nations consultative relationship with non-governmental organizations. The Secretary-General had decided to submit a single comprehensive report which was both descriptive and analytical. The report thus outlined the contextual framework of the tremendous growth of civil society and its implications for Member States and for the United Nations. An attempt had also been made to identify the issues that the Working Group might wish to consider during the course of its work. Chapter I attempted to provide the contextual background. Chapters II to IV provided specific information on various issues. Chapter VI offered some recommendations and suggestions on issues that the Working Group might wish to discuss. Finally, annexes II to V provided additional information beyond that requested by the Working Group.

33. In his view, some of the basic issues underlying the review were: (a) whether the evolution of civil society warranted a fundamental redesigning of the relationship between the United Nations and civil society; (b) an assessment of the extent to which the non-governmental organizations having relationships at present with the United Nations were truly representatives of civil society; (c) whether all non-governmental organizations should have the same rights and privileges regardless of the size of their constituency; (d) how to ensure a representativity of non-governmental organizations in North/South terms. An examination of those issues might help in determining whether the Council needed to make adjustments in the present arrangements for consultation with non-governmental organizations.

Council resolution 1296 (XLIV)

34. Many representatives of Member States noted that the review of arrangements for consultations with non-governmental organizations was timely and necessary, especially in view of recent developments, in order to reflect the current needs and realities. Some were of the view that Council resolution 1296 (XLIV) needed updating to enable an increasing number of non-governmental organizations to participate in United Nations activities while retaining a reasonable filter to exclude those non-governmental organizations whose objectives were incompatible with those of the Charter of the United Nations. Others noted that, while the integrity of Council resolution 1296 (XLIV) should be maintained, there should be an endeavour to ensure that the implementation of its provisions would be more expeditious, transparent, flexible and inclusive. One delegation stated that any necessary updating of Council resolution 1296 (XLIV) could be made by means of an additional protocol or an addendum to the resolution.

35. Many non-governmental organizations in consultative status observed that Council resolution 1296 (XLIV) remained a viable basis for arrangements for consultations with non-governmental organizations. If it was revised, however, it should not result in a curtailment of the existing participatory rights of non-governmental organizations which enjoyed consultative status. Some considered, however, that changes might be warranted in order to ensure the involvement of national non-governmental organizations in the work of the United Nations at the national, regional and international levels. In that connection, some non-governmental organizations wanted to retain the provision that no separate status should be granted to national affiliates of international non-governmental organizations in consultative status.

36. Other non-governmental organizations stressed that the current review should result in a strengthening of the consultative relationship and should not restrict the present participatory rights.

37. In that connection, some non-governmental organizations noted that the new rules, established for the Commission on Sustainable Development, had seriously curtailed the participatory rights of non-governmental organizations in regard to the circulation of written statements as official documents as well as the possibility of oral interventions. Concern was expressed at the recent practice of asking non-governmental organizations to form "coalitions" and "constituencies" and to speak through a spokesperson. Such forced consensus

would result in destroying the diversity of opinions. It was suggested that those participatory rights, warranted by Council resolution 1296 (XLIV), be fully reinstated.

Decentralization at the regional and national levels and broader representation of non-governmental organizations from developing countries

38. A number of representatives of Member States stressed the need for a broader and more diverse participation of non-governmental organizations from developing countries in the consultative relationship. In that regard, several Member States suggested the establishment of a fund to assist the participation of non-governmental organizations from developing countries in United Nations meetings, in particular United Nations conferences and their preparatory meetings. Others, while agreeing that there was a need to facilitate the participation of non-governmental organizations from developing countries, expressed doubts about establishing a trust fund.

39. One delegation suggested that in order to increase the representation of non-governmental organizations from developing countries, the Committee on Non-Governmental Organizations, when considering applications for consultative status, should give priority to those emanating from non-governmental organizations in developing countries. The same delegation suggested that measures be taken to ensure that a certain percentage of non-governmental organizations participating in United Nations conferences were from developing countries.

40. Non-governmental organizations in consultative status stressed the need to strengthen United Nations/non-governmental organization relations at the regional level. The United Nations should encourage and facilitate the participation of regional and national non-governmental organizations in meetings of the regional commissions as well as in regional preparatory meetings for United Nations conferences.

41. One non-governmental organization called for the creation of "umbrella national networks" at the regional and national levels, which would include representatives of the poor, disadvantaged or marginalized sectors, particularly from developing countries. Those "umbrella networks" should be eligible for consultative status.

42. Other non-governmental organizations also stressed the need for a broader representation of non-governmental organizations from developing countries, at the global, regional and national levels.

43. The need to establish a gender balance was also mentioned.

44. United Nations offices and programmes, describing their own experiences with non-governmental organizations, emphasized the importance of regional and national non-governmental organizations and especially their role at the policy implementation stage. They expressed the hope that the current review would

result in an expansion of the arrangements for consultation and a decentralization at the regional and national levels.

Categories of status

45. Several Member States were of the view that the current categories of consultative status should be retained. It was suggested that new categories, such as "conference status" or "commission status", might be added.

46. The need to incorporate in the consultative process academic institutions as well as business, industry and scientific groups was mentioned.

47. One delegation proposed that the present "hierarchical" system of categorization of non-governmental organizations should be revised and perhaps replaced by a system based on the functions and areas of specialization of non-governmental organizations. Such a system could be organized according to two main clusters: the "specialized" group, to be subdivided into (i) academic/research organizations; (ii) major groups as defined in Agenda 21; and (iii) specialized groups, and the "general" group, to be subdivided into "advocacy and information groups" and "international federations".

48. Most non-governmental organizations in consultative status observed that the present classification system should be retained in order to recognize the differences in levels of constituencies and range of activities. If a "functional" system of categories was preferred, care should be taken to find a way to include "service" organizations. Moreover, a "functional" system might be difficult to implement in view of the multidisciplinary nature of most non-governmental organizations' activities.

49. One non-governmental organization suggested that eligibility for consultative status should be extended to "institutions created at the national or regional level but with an international or transnational mandate, working partly with governmental funding but autonomous in character and non-governmental in orientation", on the understanding that such an institution, when applying for consultative status, would have to provide clearly demonstrable proof of its independence from governmental influence.

Extension of the consultative status beyond the Economic and Social Council

50. Many representatives of Member States suggested that consultative arrangements with non-governmental organizations be extended beyond the Economic and Social Council and its bodies in order to encompass the General Assembly, its Main Committees and subsidiary bodies. One delegation suggested that the Security Council and other bodies dealing with peace, security and disarmament should be encompassed. One delegation suggested that the Bretton Woods institutions should be encompassed as well. One delegation noted, however, that the extension of consultative relationship beyond the Economic and Social Council was not within the mandate of the Working Group. Suggestions for amendments to specific paragraphs of Council resolution 1296 (XLIV) were made.

51. Non-governmental organizations in consultative status called for an examination of the possibility of extending the consultative relationship to the General Assembly and its Main Committees and to United Nations bodies not related to the Economic and Social Council. They suggested that non-governmental organizations should also be allowed to participate in working groups and drafting groups.

52. Other non-governmental organizations also supported the extension of consultative arrangements, especially the General Assembly and its Main Committees.

Participation of non-governmental organizations in United Nations conferences

53. Several Member States stressed the need for the adoption of consistent rules for the participation of non-governmental organizations in United Nations conferences, taking into account the need for transparency, diversity and flexibility.

54. Non-governmental organizations in consultative status also stressed the need for the adoption of standard rules of procedure for the participation of non-governmental organizations in United Nations conferences, which would allow for the participation of non-governmental organizations in consultative status as well as other non-governmental organizations whose relevance and legitimacy have been established under orderly, transparent and consistent prccedures.

Practical measures

The Committee on Non-Governmental Organizations

55. Several Member States suggested that the Committee on Non-Governmental Organizations should meet more frequently, perhaps, on an annual rather than on a biennial basis; it could be opened to a greater participation by the membership of the United Nations and should associate the non-governmental organizations more closely with its work, for example, the Committee could hold a regular dialogue with the non-governmental organizations. It was suggested that the Committee on Non-Governmental Organizations should be given a broader mandate to consider issues related to non-governmental organizations and facilitate relations between the United Nations and the non-governmental organizations. It was also suggested that the membership of the Committee on Non-Governmental Organizations be enlarged in order to reflect the increase in membership of the United Nations and also to allow the creation of a working group within the Committee to facilitate the evaluation of requests for consultative status or for reclassification. The need to re-examine the provisions of Council resolution 1296 (XLIV) regarding the submission of quadrennial reports by non-governmental organizations was mentioned. Measures should be taken to expedite the process of application for consultative status and ensure greater transparency in the granting of consultative status.

56. Non-governmental organizations in consultative status and other non-governmental organizations also suggested that the Committee on Non-Governmental Organizations meet more frequently in order to speed up the process of requests for consultative status and reclassification. The need to review the procedures for consideration of quadrennial reports was mentioned.

57. One non-governmental organization suggested that, in order to ensure maximum independence and depoliticization in the screening of applications for status, the Committee should be composed of independent experts.

58. One Member State suggested the establishment of a credentials committee to verify the credentials of representatives of non-governmental organizations, with a view to achieving better representativeness and credibility for the non-governmental organizations. Several Member States noted that such a measure would not be advisable as it would add another bureaucratic layer that would further complicate and hamper non-governmental organizations.

Secretariat support and the Non-Governmental Organizations Unit

59. Several Member States stated that adequate Secretariat support should be provided to ensure a productive non-governmental organization relationship with the United Nations. In that connection, they called for the strengthening of the Non-Governmental Organizations Unit of the Department for Policy Coordination and Sustainable Development in view of the increasing volume of work generated by a growing number of non-governmental organizations in consultative status. They also emphasized the need for coordination between the various Secretariat units dealing with non-governmental organization matters.

60. Several non-governmental organizations in consultative status also called for the strengthening of the Non-Governmental Organizations Unit. It was suggested that administrative and organizational arrangements for non-governmental organization support should be reviewed. It was also suggested that Secretariat support should be located in a central position in the Secretariat, perhaps in the Office of the Secretary-General, in order to promote ongoing consultation with the full range of non-governmental organizations, as well as coherence in the treatment of non-governmental organizations on a Secretariat-wide basis.

61. In that connection, several non-governmental organizations in consultative status called for coordination among Secretariat offices and programmes dealing with non-governmental organization matters.

62. The representative of the Secretariat indicated that the bulk of the work relating to non-governmental organizations was carried out in the context of their substantive contributions to the various parts of the United Nations by the relevant substantive units. The Non-Governmental Organizations Unit had recently been strengthened through internal redeployment in response to the concerns expressed by the Committee on Non-Governmental Organizations and the Economic and Social Council. A further strengthening of the Unit would require additional resources.

63. In that connection, one Member State observed that the strengthening of the Non-Governmental Organizations Unit and of substantive offices dealing with non-governmental organizations were not mutually exclusive, but complementary since the Unit was the first point of entry in the United Nations for many non-governmental organizations and its strengthening would assist in opening avenues for non-governmental organizations to the appropriate substantive offices. Another Member State observed that the Unit served as the substantive secretariat for the Committee on Non-Governmental Organizations, which would require adequate support if it was to be revitalized. One Member State requested information regarding the financial resources of the Non-Governmental Organizations Unit of the Department for Policy Coordination and Sustainable Development as well as of the Non-Governmental Liaison Service.

64. Non-governmental organizations accredited to the Commission on Sustainable Development noted that strengthening the practical arrangements for consultations with non-governmental organizations might be as important as reviewing the principles for those arrangements. Principles would remain without results in the absence of adequate practical provisions for their implementation. Thus, there should be a thorough consideration of the adequacy of the resources available to the Secretariat as well as of the extent of the coordination between United Nations offices and programmes dealing with non-governmental organizations.

65. In that connection, it was suggested that consideration be given to proposals for the consolidation of services to non-governmental organizations under an Under-Secretary-General for non-governmental organization relations.

Improvement of channels of communication and information within the United Nations

66. Member States as well as non-governmental organizations and United Nations offices and programmes stressed the need to make full use of electronic communications facilities to provide non-governmental organizations with complete and timely information regarding United Nations activities on a dependable and consistent basis. The need to disseminate United Nations documentation in all appropriate languages was emphasized. Several non-governmental organizations noted the practical difficulties faced by non-governmental organization representatives in obtaining access to and in participating in United Nations meetings and called for measures to redress those difficulties.

67. Non-governmental organizations in consultative status stressed the need to facilitate access by non-governmental organizations to United Nations facilities, including access to the General Assembly and its Main Committees, and to documentation and notification of meetings on a timely basis.

68. They called for the relocation of the Resource Centre within the Secretariat Building, as well as the restoration of some practical facilities, such as the possibility of bringing guests, access to the second floor and the General Assembly Hall, the right to the full use of the United Nations Library, and appropriate seating arrangements. It was stressed that legitimate concerns

for security at Headquarters should not result in hampering the participation of non-governmental organizations in United Nations activities.